



## COUNTY OF SAN DIEGO RESOURCE PROTECTION STUDY

On May 23, 1989, the Board of Supervisors adopted the Resource Protection Ordinance, requiring a Resource Protection Study for applications submitted on or after June 30, 1989 for the following discretionary projects:

- Tentative Maps and Tentative Parcel Maps**
- Revised Tentative Maps and Revised Tentative Parcel Maps**
- Expired Tentative Maps and Expired Tentative Parcel Maps**
- Rezones (Excluding those solely applying the Sensitive Resource Designator)**
- Major Use Permits**
- Major Use Permit Modifications (Review shall exclude areas unaffected by modification)**
- Certificates of Compliance for New Condominium Projects (Section 81.616.1 or 81.616.2)**
- Site Plans (Excluding those exempt from CEQA or "G" Special Area Designator)**
- Administrative Permits (Excluding those exempt from CEQA or for clearing)**
- Open Space Easement Vacations**

A Resource Protection Study is required to determine if sensitive lands are located on the property and whether the Resource Protection Regulations should be applied.

The Resource Protection Ordinance is meant to replace the Interim Sensitive Lands Ordinance. Any decision on a project subject to the Interim Sensitive Lands Ordinance made on or after June 30, 1989 shall be based on the regulations in the Resource Protection Ordinance.

### I. APPLICATION REQUIREMENTS

1. Two (2) copies of each type slope analysis map (See Part III).
2. One copy of the project plans indicating the septic layout(s) as submitted to the Department of Environmental Health if a septic system is proposed. For major subdivisions and Major Use Permits, a preliminary septic layout with expansion areas may be provided.
3. One copy of each of the project plans and drawings illustrating the work to be performed in implementing the project. This illustration should include, but is not limited to, necessary grading for all housepads, roads, driveways, and leach fields. The heights of all cut and fill slopes greater than 15 feet or in steep slope areas (as defined by the RPO) must be indicated.
4. One completed copy of Department of Public Work's Preliminary Floodplain Evaluation.

### II. SUBMITTAL OF APPLICATIONS AND FEES

1. Submit applications, including all items required above, together with the appropriate deposit to the Department of Planning and Land Use. Make check payable to the County of San Diego.
2. The Department of Planning and Land Use will utilize the deposit in processing the Resource Protection Study concurrently with your discretionary permit application.

*If there are any questions regarding your application or fees, please call the Department of Planning and Land Use's Zoning Counter at (858) 565-5981.*

### III. SLOPE ANALYSIS

All applications for a Resource Protection Study shall include two (2) copies of a colored topographic map using ten foot contour intervals or less, with a minimum scale of 1" = 200'. The County of San Diego proper documentation on the accuracy of the map is required.

1" = 200' scale topo or ortho-topo maps are preferred. If the applicant wishes to use a more accurate map, proper documentation on the accuracy of the map is required. The slope analysis must be prepared by a licensed engineer, land surveyor, architect or landscape architect.

1. SLOPE MAP. The slope shall show the following slope categories colored as indicated:

Less than 15% .....	White
15% and greater up to 25%.....	Yellow
25% and greater up to 50%.....	Orange
50% and greater.....	Red

2. DENSITY FORMULA. When the applicant proposes to subdivide property located within any of the slope dependent Land Use Designations [(1) Residential, (17) Estate, (18) Multiple Rural, (19) Intensive Agriculture, (23) National Forest, (24) Impact Sensitive], the following density formula shall be included on the slope map, determining the maximum number of lots or dwelling units permitted:

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Acres in slopes less than 15% divided by	Minimum lot size permitted by the General Plan
+ Acres in slopes of 15% up to 25% divided by	Minimum lot size permitted by the General Plan
+ Acres in slopes of 25% up to 50% divided by	Minimum lot size permitted by the General Plan
+ Acres in slopes of 50% and greater divided by	Minimum lot size permitted by the General Plan

Total = Maximum number of Lots and/or Dwelling United Allowed

A Planned Residential Development or Cluster Development shall be required to use the density allowed by a standard subdivision using the slope analysis and density formula.

3. ENCROACHMENT/OPEN SPACE MAP. For all projects, two (2) copies of a second map shall be provided indicating the location of proposed grading, steep slopes lands (colored in red), and proposed open space easements for each proposed or existing lot. The map shall also include a table which indicates the acreage and percentage of steep slope lands in each proposed or existing lot. Steep Slope Lands are defined as "lands having a slope with a natural gradient of 25% or greater and a minimum rise of 50 feet."

a. Open Space Easement. When 10% or more of a lot contains steep slope lands, that portion of the lot shall be placed in an open space easement, unless the lot is equal to or greater than 40 acres or a Sensitive Resource Area Designator is applied to the lot. The open space easement shall not include any area of encroachment within the limits of the encroachment table nor will it include any of the excluded types of development indicated in (b).

b. Encroachment Allowance. When the applicant proposes to build, grade or disturb steep slope lands the amount of this encroachment shall be indicated as a percentage of the steep slope lands in each existing or proposed lot. Existing agriculture operations such as orchards shall not be considered an encroachment. The allowable amount of encroachment into steep slope lands shall be limited to the following percentages.

Percentage of lot in steep slope	Maximum Encroachment Allowance as % of area in steep slope
75% or less	10%
80%	12%
85%	14%
90%	16%
95%	18%
100%	20%

The following types of development shall be exempted from the encroachment limitations set forth above:

- a. All public roads identified in the Circulation Element of the County General Plan and adopted Community and Subregional Plans, provided that findings of fact are made that no less environmentally damaging alternative alignment or non-structural alternative measures or combination of measures exist.
- b. Local public streets or private roads and driveways which are necessary for access to the portion of the site to be developed on slopes of less than 25%, provided no less environmentally damaging alternative exists. This determination shall be made by the Director of the Department of Planning and Land Use.
- c. Public utility systems, provided that findings of fact are made that the least environmentally damaging alignment has been selected.
- d. Areas with native vegetation, which are cleared or trimmed to protect existing or proposed structures in potential danger from fire provided the area of such clearance is the minimum necessary to comply with applicable fire codes and that such slopes retain their native root stock or are replanted with native vegetation having a low fuel content, and further that no reconfiguration of the natural landform is required.
- e. Trails for passive recreational use according to approved park plans.
- f. On any lot created on or before August 10, 1988, a minimum disturbed area of (1) twenty percent (20% of the entire lot, or (2) sufficient area to accommodate 3,000 square feet of building footprint (whichever is greater) shall be permitted to provide for reasonable use of existing lots.
- g. Any on-going existing agricultural operation, such as the cultivation, growing and harvesting of crops and animal. Land left fallow for up to three years shall be considered to be an existing agricultural operation.